

Application No. 10/532,213
Attorney Docket No. 26735U
Response to Office Action of August 4, 2006

Amendments to the Drawings

The attached sheet in the Appendix at the end of this paper replaces original figure 1.

REMARKS/ARGUMENTS.

Claims 1 – 20 are presented for reconsideration and further examination in view of the foregoing amendments and following remarks. Claims 1 – 4, 7 – 12, 14 – 16 and 18 have been amended.

In the outstanding Office Action, the Examiner: rejected claims 1 – 2 and 5 – 20 under 35 U.S.C. 112, second paragraph, as being indefinite; rejected claims 1 – 8, 11 – 16 and 18 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,486,407 to Hawker et al. (hereinafter referred to as “Hawker”); rejected claims 9 and 10 under 35 U.S.C.103(a) as being unpatentable over Hawker in view of U.S. Patent No. 5,292,257 to Milan (hereinafter referred to as “Milan”); rejected claim 17 under 35 U.S.C. 103(a) as being unpatentable over Hawker; and rejected claims 19 – 20 under 35 U.S.C. 103(a) as being unpatentable over Hawker in view of U.S. Patent No. 5,292,257 to Adinamis et al (hereinafter referred to as “Adinamis.”) Also, the Examiner objected to the drawings for failing to include reference signs mentioned in the specification; objected to the specification for providing the abstract in an improper language and format; and objected to claims 7, 9, and 16 due to informalities.

By this Response and Amendment: claims 1 – 4, 7 – 12, 14 – 16 and 18 are amended, and the rejections under 35 U.S.C. 102(b) and 103(a) are traversed. It is respectfully submitted that the above amendments do not introduce any new matter to this application within the meaning of 35 U.S.C. 132. Support for each claim’s amendments may be found in the same claim as originally filed, and in claim 16 as originally filed.

OBJECTION TO THE DRAWINGS

In the outstanding Office Action, the Examiner objected to the drawings for failing to include reference sign “3.”

RESPONSE

Applicant has submitted a replacement drawing sheet which clearly indicates element 3. Accordingly, withdrawal of the objection to the drawings is requested.

OBJECTION TO THE SPECIFICATION

In the outstanding Office Action, the Examiner objected to the specification for providing the abstract in improper language and format.

RESPONSE

Applicant has amended the abstract, and submits that the amended abstract is now in proper form. Accordingly, withdrawal of the objection to the specification is requested.

OBJECTION TO THE CLAIMS

In the outstanding Office Action, the Examiner objected to claims 7, 9, and 16 for informalities. The Examiner suggested amendments which would overcome the objections.

RESPONSE

Applicant has amended claims 7, 9, and 16 in the manner suggested by the examiner in the outstanding Office Action, except that the phrase “from been tethered” in claim 7 has been amended to “from being tethered.” Applicant submits that these claims are now in proper form. Accordingly, withdrawal of the objection to the claims is requested.

REJECTIONS UNDER 35 U.S.C. 112

In the outstanding Office Action, the Examiner rejected claims 1 – 2 and 5 – 20 under 35 U.S.C. 112, second paragraph, as being indefinite

RESPONSE

Reconsideration and withdrawal of the rejections are respectfully requested.

By this Response and Amendment, Applicant has amended all of the claims identified by the Examiner, and submit that these amendments overcome all indefinite rejections. In particular, Applicant has:

- replaced the phrase “at least the cores” with “the cores” in Claim 1;
- replaced the phrase “from been tethered” with “from being tethered” in Claim 7;
- replaced the phrase “these cables” with “the cables” in Claim 8;
- replaced the phrase “to two” with “to two more cables” in Claim 8;
- replaced the term “a cable” with “a further cable” in Claim 9;
- replaced the term “a socket” with “a further socket” in Claim 9;
- removed the term “such as those provided by an electrical power supplier authority” from Claim 11;
- replaced the term “is applicable is” with “is applicable as” in Claim 14;
- replaced the term “a beginning end” with “a first end” in Claim 15;
- replaced the term “method or wiring” with “method of wiring” in Claim 16;
- replaced the term “the said first end” with “a first end” in Claim 16; and
- replaced the term “there is further inserted” with “a male plug is further inserted” in Claim 18.

Applicant has also corrected claim grammar where appropriate, to remove confusion which may have been caused by the Australian English in which the claims were written.

As to the Examiner’s identification of the term “a mains,” Applicant submits that this term is known to those skilled in the art, as set forth in the art-recognized terms “a mains

electrical power wiring assembly," "a mains switch board," and "a mains electrical power supply." As examples of this terminology, Applicant directs the Examiner's attention to the numerous U.S. Patents in which this terminology appears, including *inter alia* U.S. Patent Nos. 4,720,760; 6,908,195; 6,388,428; and 6,626,554.

As to the Examiner's identification of the term "characterised," the MPEP states at Section 608.01 that

Examiners should not object to the specification and/or claims in patent applications merely because applicants are using British English spellings (e.g., colour) rather than American English spellings. It is not necessary to replace the British English spellings with the equivalent American English spellings in the U.S. patent applications. Note that 37 CFR 1.52(b)(1)(ii) only requires the application to be in the English language. There is no additional requirement that the English must be American English.

(emphasis in original)

As Applicant has addressed all purportedly indefinite terms identified by the Examiner, reconsideration and withdrawal of the rejection under 35 U.S.C. 112 are requested.

REJECTIONS UNDER 35 U.S.C. 102(b)

In the outstanding Office Action, the Examiner rejected claims 1 – 8, 11 – 16 and 18 under 35 U.S.C. 102(b) as being anticipated by Hawker.

RESPONSE

By this Response and Amendment, Applicant traverses the Examiner's rejection. Reconsideration and withdrawal of the rejections are respectfully requested.

For a reference to anticipate an invention, all of the elements of that invention must be present in the reference. The test for anticipation under section 102 is whether each and every element as set forth in the claim is found, either expressly or inherently, in a single prior art

reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131. The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP §2131.

Applicant submits that all of the features of the presently claimed invention are not disclosed, taught or suggested in the cited prior art.

Independent Claim 1 has been amended, and teaches, *inter alia*, a “mains electrical power wiring assembly...comprised of a loom with at least one cable.” The “cable or cables is or are *each adapted at one end to be secured to a mains switch board in a building.*” (Present Application, Claim 1, emphasis added).

Independent Claim 3 has been amended, and teaches, *inter alia*, a “mains electrical power wiring assembly for a building which is comprised of at least two cables...*each adapted at one end to be secured to a mains switch board in a building...*” (Present Application, Claim 3, emphasis added)

Independent Claim 16 has been amended, and teaches a “method of wiring a building for the distribution of electrical power through the building where the building includes a mains power supply switch board” comprising, *inter alia*, the step of “having a pre-made up loom which has at one end electrically connecting ends *adapted to be secured to the electrical power connections of the switch board.*” (Present Application, Claim 16, Emphasis Added)

Hawker is drawn to a power strip with adjustable outlets. (Hawker, title) The power strip comprises a cable 20 adapted to receive an input of electricity. “The distal [input] end 24 of the cable 20 may be connected to an electrical connector 25. In this example, the electrical connector 25 is a plug having at least one male connecting portion 26. The electrical connector

25 is preferably adapted to be plugged into a source of electricity, e.g., an electrical outlet in a household or workplace.” (Hawker, col. 2 ln. 60 – col. 3. ln. 5)

Hawker does not anticipate the present claimed invention, as it does not disclose, teach, or suggest cables “adapted at one end to be secured to a mains switch board in a building.” Hawker’s input cable is adapted to be plugged into an electrical outlet in a household or workplace. While Hawker recites a number of examples of input connectors (see Hawker, col. 4, lns. 20 – 28), Hawker is silent as to any connectors to be secured to a mains switch board in a building. Hawker is directed to wiring at household voltages, where supply voltages are low and connections are made through standard household sockets. The present invention is directed to wiring in the building/household industry where particularly higher supply voltages are used, and where particular adaptations must be made to secure an input cable to a mains switch board in a building. See, for example, paragraphs 5, 43, 54, and 55 of the present published Patent Application. Hawker is completely silent as to the dangers mitigated by the presently claimed subject matter, and the claimed methods and apparatuses with which these concerns are addressed.

Accordingly, as Hawker fails to disclose, teach, or suggest cables “adapted at one end to be secured to a mains switch board in a building.” (Present Application, Claims 1, 3, 16), Applicant submits that Hawker does not anticipate the presently claimed invention.

As the cited prior art fails to disclose, teach, or suggest all of the features of independent claims 1, 3, and 16, and therefore of claims 2, 4 – 8, 11 – 15 and 18 dependent therefrom, Applicant requests that the Examiner reconsider and withdraw the rejections under 35 U.S.C. 102(b) of these claims.

Moreover, Applicant submits that a number of the above dependent claims are independently patentable for further features not disclosed, taught, or suggested by Hawker. As

non-limiting examples, Claim 5 teaches a loom that “at its beginning has ends which are either bared or adapted to be bared *so as to be able to be connected into a traditional connector block or other electrical connection.*” (Present Application, Claim 5, emphasis added). Claim 11 teaches a method comprising the step of “connecting at least two of the cores at a beginning of the loom incorporated in the assembly to an electrical junction connector by way of a meter box.” (Present Application, Claim 11) Claim 14 teaches a “mains electrical power supply...for which the assembly is applicable as an electrical power supply supplying ...a voltage which will be approximately within a range of from 110 volts to 450 volts.” (Present Application, Claim 14). Applicant further submits that these features cannot be found in Hawker and that, as such, these claims are further defined over Hawker.

For these additional reasons, applicant requests that the Examiner reconsider and withdraw the rejections under 35 U.S.C. 102(b) of these claims, and of all claims dependent therefrom.

REJECTIONS UNDER 35 U.S.C. 103(a)

In the Outstanding Office Action, the Examiner rejected claims 9 and 10 under 35 U.S.C.103(a) as being unpatentable over Hawker in view of Milan; rejected claim 17 under 35 U.S.C. 103(a) as being unpatentable over Hawker; and rejected claims 19 – 20 under 35 U.S.C. 103(a) as being unpatentable over Hawker in view of Adinamis.

RESPONSE

The Examiner’s rejection is traversed. Reconsideration and withdrawal of the rejection are requested.

To establish a *prima facie* case of obviousness, the Examiner must establish: (1) that some suggestion or motivation to modify the references exists; (2) a reasonable expectation of

success; and (3) that the prior art references teach or suggest all of the claim limitations. *Amgen, Inc. v. Chugai Pharm. Co.*, 18 USPQ2d 1016, 1023 (Fed. Cir. 1991); *In re Fine*, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 USPQ 494, 496 (CCPA 1970).

Applicant submits that all of the features of the presently claimed invention are not disclosed, taught or suggested in the cited prior art.

Claims 9 and 10 depend from claim 1, and therefore necessarily include all of the features of claim 1, which Applicant submits is in condition for allowance. The Examiner cites Milan to cure the deficiencies of Hawker. Milan is drawn to a modular surge protector, and fails to cure the deficiencies of Hawker set forth above. Milan, like Hawker, fails to disclose, teach, or suggest a “cable or cables...each adapted at one end to be secured to a mains switch board in a building.” (Present Application, Claim 1)

Claim 17 depends from 16, which Applicant submits is patentable over Hawker as set forth in the section above. Such arguments are incorporated herein by reference.

Claims 19 and 20 also depend from claim 16, and therefore necessarily include all of the features of claim 16, which applicant submits is in condition for allowance. The Examiner cites Adinamis to cure the deficiencies of Hawker. Adinamis is drawn to an electric light fixture, and fails to cure the deficiencies of Hawker set forth above. Adinamis, like Hawker, fails to disclose, teach, or suggest “having a pre-made up loom which has at one end electrically connecting ends adapted to be secured to the electrical power connections of the switch board.” (Present Application, Claim 16)

As the combination of cited prior art fails to disclose, teach, or suggest all of the features of claims 1 and 16, and thus all claims dependent therefrom, Applicant submits that the Examiner has failed to make a *prima facie* case of obviousness.

Reconsideration and withdrawal of all rejections is respectfully requested.

CONCLUSION

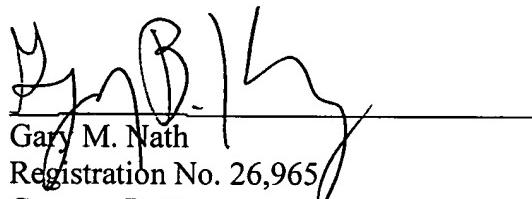
In light of the foregoing, Applicant submits that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,
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APPENDIX